

From: Joe Blue
To: Microsoft ATR
Date: 11/16/01 1:39pm
Subject: DOJ's proposed penalties do not undo the market damage

Hello,

As a software developer I can assure you that the proposed DOJ settlement does nothing to undo the monopolization of the browser market that Microsoft accomplished through its illegal business practices. Microsoft now has over 80% of the browser market, and growing, precisely because of the illegal conduct determined in the case. Why are there no penalties to force them to disgorge that advantage, by bundling an alternative browser? The lesson for Microsoft: use whatever means to destroy any competitive threat, and then deal with future-conduct remedies by subversion. This is precisely what happened in the 1995 consent decree.

SINCE WHEN DOES A REMEDY FOCUS ONLY ON FUTURE BEHAVIOR
AND NOT ON ADDRESSING THE HARM ALREADY PERPETRATED?
THIS IS NONSENSICAL.

Joseph Blumenthal

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